

REMARKS

Overview

Claims 1-6, 8-11 and 18-21 are pending in this application. Claim 1 has been amended, method claims 12-17 have been cancelled and claims 18-21 are new. The application now includes independent claim 1, from which claims 2-5 depend; independent claim 6, which claims 8-11 depend; and new independent claim 18, from which claims 19-21 depend. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Restriction Requirement

In the Office Action mailed February 9, 2006, the Examiner required restriction between three groups of claims. The first of these groups was 1-5, the second of these three groups was claims 6-11; and the third group was claims 12-17.

Applicant has withdrawn claims 12-17 which are the method claims in group III. Applicant, however, continues to traverse the Examiner's requirement that the claims of groups I and II be restricted.

In the original Office Action, the Examiner stated only two reasons for rejection of the claims in Group I and II. One of the grounds was that the combination (claims 6-11) does not include the first and second flaps. In the previous amendment, Applicant amended claim 6 to include the first and second flaps. The second reason stated by the Examiner was that the subcombination (claims 1-5) did not read upon a storage of a liquid without an inner container. Applicant previously amended claim 1 to require a "grease" container and also amended claim 1 by requiring that "the container chamber being of a size to permit the inner grease container to be

inserted therein through the open upper end so as to form a double wall container for storing the grease." Clearly the intention of Applicant was to make claims 1 and 6 correspond to one another although having slightly different scope.

Since the Office Action was mailed, Applicant's Attorney and the Examiner had a telephone conversation wherein the Examiner stated that the restriction requirement between Groups I and II would be withdrawn.

Accordingly, the Applicant respectfully requests that the Examiner withdraw the requirement for restriction between claims 1-5 and claims 6-11. As previously mentioned, Applicant has cancelled the method claims 12-17 and does not contest the requirement for restriction as to those method claims.

Examiner's Rejections Under 35 U.S.C. § 102

Claim 1 as amended recites an inner grease container being within the container chamber and together with the container box forming "a double wall container for storing the grease." The Jamison reference cited by the Examiner does not include double wall construction and does not include an inner grease container that is within the container chamber, all which is required by claim 1. Accordingly, claim 1 defines patentable subject matter which is patentable under both 35 which is required by claim 1. Accordingly, claim 1 defines patentable subject matter which is patentable under both 35 U.S.C. § 102 and 35 U.S.C. § 103. The Examiner is respectfully requested to allow claim 1. Claims 2-5 depend from claim 1 and are patentable for the reasons set forth as to that claim.

Claim 6 is an independent claim requiring the first and second flaps and also requiring an outer container and an inner container fitted within the outer container chamber. The Jamison

reference cited by the Examiner does not utilize or show any inner and outer container as required by claim 6. The Examiner is respectfully requested to allow claim 6. Furthermore, claims 8-11 depend from claim 6 and are patentable for the reasons set forth as to that claim.

New Claims

New independent claim 18 requires "an inner grease container within the container chamber." The Jamison reference cited by the Examiner fails to show any inner container with the container chamber, as required by claim 18. Accordingly, claim 18 is patentable in view of the cited art and is patentable under both 35 U.S.C. § 102 and 35 U.S.C. § 103.

New claim 19 depends from claim 18 and requires the guide cams to be positioned within the chamber of the container box "closely adjacent the spaced apart edges of the first and second flaps" and being adapted to engage and guide the inner container into the container chamber through the opening in the open upper end of the container box. This limitation is not shown in the prior art, specifically the Jamison reference because the opening does not provide communication into the inner chamber.

New claim 20 depends from claim 19 and requires four guide cams positioned within the chamber adjacent the spaced apart edges of the first and second flaps. There is no showing of four guide cams positioned within the chamber in the Jamison reference as required by claim 20. Instead there is a showing of a reinforcing member (not shown) which is not shown to include four guide cams as required by claim 20. Accordingly, claim 20 further defines over the patentable subject matter of claim 18.

New claim 21 requires that the first and second end flaps each include a notch therein and a notch cover movably mounted with relation to the first and second flaps for moving from a first

position wherein the notch cover is free from covering relation over the notch to a second position wherein the notch engages the inner grease container. Nowhere is there showing in the Jamison reference of a notch which engages the inner grease container in one of its positions. Accordingly, claim 21 further defines over patentable subject matter in addition to the arguments set forth above as to claim 18.


In view of the foregoing, Applicants respectfully request that a Notice of Allowance be issued and that the requirement for restriction be withdrawn as to Groups I and II.

Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,


MICHAEL G. VOORHEES, Reg. No. 25,715
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 22885

Attorneys of Record

- bja -